

Guidelines for communicating with employees at risk of workplace domestic violence



As of June 15, 2010, all employers in Ontario are responsible for protecting workers when domestic violence follows them into the workplace. Ontario's Occupational Health and Safety Act states, in section 32.0.4:

“If an employer becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace, the employer shall take every precaution reasonable in the circumstances for the protection of the worker.”

The law doesn't explain what reasonable precautions employers can take to protect the worker. But experts who have been working on this problem for many years believe that the best way to prevent harm from domestic violence is to recognize the warning signs!

This booklet will help you understand what a victim of abuse may be going through in the workplace, and how you can reach out and connect with them to help to ensure their safety.

How domestic violence affects your workplace

While the new law means that you have to pay attention, the business reasons for acting are equally compelling. With women accounting for 60% of the workforce and growing, domestic violence has a direct impact on your business.

Domestic violence has many consequences for your workplace. These include:

- reduced productivity
- emotional stress
- increased absenteeism
- loss of concentration
- high turnover and increased training costs
- compromised safety of employees
- negative impact on the morale of co-workers.

Who is the abuser?

The abuser is not always male, but when the victim is female the abuse is more severe. Compared with male victims, female victims of domestic violence are:

- twice as likely to be stalked
- more than twice as likely to be injured
- three times more likely to fear for their life, and
- twice as likely to be the targets of more than 10 violent episodes.

Domestic violence is an emotional issue that permeates all aspects of a woman's life. She feels at a loss every day: loss of independence, self-esteem, and sense of self. Fear follows her everywhere: fear for herself, fear for her children, and the fear of losing them. Worst of all, she doesn't know how to make it stop.

An abused woman takes these feelings everywhere, and they impact her in everything she does. Often she fears that by disclosing what is happening to her, she will put her job in jeopardy. She fears being seen as unable to do her job. She does not want to be considered “trouble”.

Domestic violence thrives when victims are isolated. For a long time, our culture has promoted a “mind your own business” attitude. That helps to keep domestic violence out of public view. Victims often try to keep what is happening to them a secret. Victims often feel ashamed and even blame themselves for what is happening.

We are trying to shift those attitudes with the Make it our Business campaign.

Overcoming our hesitation to help

We have all learned to be hesitant about becoming involved in situations of domestic violence. Many of us have the same concerns. Here is another way of looking at these common concerns:

Points of Concern	Points to Consider
You feel it's none of your business.	It could be a matter of life or death. Violence is everyone's business.
You don't know what to say.	Saying you care and are concerned is a good start.
You might make things worse.	Doing nothing is more likely to make things worse.
You are afraid his violence will turn on you and threaten the safety of the workplace.	Let the police know if you receive threats.
You are worried about maintaining confidentiality in the workplace.	The new law says you have to balance confidentiality and safety. You must take every precaution reasonable in the circumstances to protect the worker.
It's not serious enough to involve the police.	Police are trained to respond to situations like this. They also know how to bring in other resources from the community.

Once you have to overcome your hesitation to help – for both legal and compassionate reasons – you likely still have many questions:

- What do you say to an employee at risk of abuse?
- Should you wait for her to say something, or should you approach her when you see signs of risk or violence?
- How do you open the conversation?
- What can you say that might make a difference?
- How do you respect her privacy and decisions, without ignoring issues of safety and support?

Before you talk with an employee you think may be at risk, think about getting advice from someone who has training and experience with workplace domestic violence. They can help you define your role, and how to best communicate and handle a situation.

For example, you could contact:

- an Employee Assistance Program counsellor
- a member of your workplace Violence Response Team
- a local women's shelter
- a local community service.

How do I talk to someone when I have recognized warning signs?

If you have recognized warning signs that someone in your workplace is experiencing domestic violence, it is difficult to know what to say. **The most important thing is not to ignore the situation.**

You can't go wrong if you start with genuine care and concern. When you handle these concerns genuinely, it is a starting point for increasing safety in the workplace and providing support.

Remember that it is not your role to be a therapist or to 'fix' the situation. Reaching out, showing concern and offering support can make a big difference. She may be more comfortable if you talk with her in a private setting, such as a closed office or an area away from others where you cannot be heard or seen.

How do I open the conversation?

You can open the discussion by expressing your concern about things that are affecting work. For example, you may have a concern about unexplained absences or increased absenteeism. You may know about harassing visits or email and phone messages at work. The employee may have unexplained injuries. They may be having unusual problems in work performance, such as being constantly distracted. These can all be signs of workplace domestic violence.

Here is one example of letting the employee know what you have observed:

"I noticed the bruises you had last week and you've been off work more often than usual. You looked upset and worried after that phone call today."

Here is a way of express concern that the employee might be abused:

"I am concerned about you. You seem isolated and afraid. Are you ok? Is someone hurting you? Can I help?"

If the employee has children, let her know gently that you are concerned about her and her children's safety and emotional well-being. She may be more willing to recognize her situation if she recognizes her children may also be in danger:

"What about your children, are you worried about them? Are you sure that they are safe?"

Here is a way to make a statement of support:

"No one deserves to be hurt by someone else. We can put you in touch with people who can help if you need that."

You may also wish to discuss ways to improve work performance if that is of concern.

"I've noticed that you've had trouble meeting your deadlines lately. Can we talk about how to manage your workload?"

What to say if an employee denies the abuse

If the employee chooses not to disclose abuse, but you still have reason to believe it is a concern, don't push her. Tell her that you are still going to be there for her any time she wants help.

Don't become angry or frustrated with her decisions. She may be afraid or not ready to take the next steps. And very often, even though it may not seem so to us, she knows what timing and action is best for her.

Remind her of any services your workplace offers, such as an Employee Assistance Plan or direct her to community counselling if she would like confidential support for anything that is happening in her life.

Give her copies of these resources:

Safety Planning for Women Who are at Risk

How to Keep Yourself Safe and Supported When Domestic Violence follows you into the Workplace

Tell her that she can find out about local community resources from the local women's shelter or the Assaulted Women's Helpline. Show her where the phone numbers are in the resources you give her.

By showing you care and laying out these options to your employee, you have helped her open her field of possibilities.

Document the help that you have offered, including the time and date of your discussion. This is proof that you are complying with your responsibility to take reasonable precautions to protect your employee.

What to say if an employee discloses abuse

Be Supportive. Reassure her that she done the right thing by coming forward. Make sure she knows that this will not reflect badly on her or her work:

"You did the right thing by talking to me. You are not on your own to deal with this. We're here to help and support you. You don't have to worry about your job."

Listen carefully. She knows more about her situation than anyone else. Respect her suggestions, needs and choices:

"You know your situation best and you are in charge of your life. We want to work with you to help keep everyone safe."

Express understanding. Tell her you know that sometimes "personal issues" can spill over into the workplace or interfere with work performance:

"Sometimes things happen in our lives that we don't expect or can't choose. We can't always put a boundary between home and work, or the personal and the professional. What's important is to handle this in way that keeps you and everyone else in our workplace safe."

Tell her it is not her fault:

"It's not your fault. No one deserves to be hurt. Abuse is not normal and it's not OK."

Validate her feelings. She may feel hurt, angry, afraid, ashamed, or trapped. She may love the abuser and think that he can change:

"This must be really difficult for you. It's normal to a lot of conflicting emotions."

Focus on Safety

Assess the situation. You need to decide whether or not the situation is a crisis. Does it represent a threat to this woman or to her co-workers? **When you have immediate concerns about safety, call the police at 911.**

Learn more about threat assessment: Read Threat Assessment and Risk Management in the Workplace.

Find out if she is safe. Work with her to create a safety plan for the workplace and ask if she has a safety plan for home as well. Don't take over from her.

Is there a threat to her children? If children are involved in domestic violence, the law is clear about what you must do: contact the Children's Aid Society in your community right away. If you are afraid for a child's safety because of violence in the home, the law says that you must report that abuse. Explain to her that this is your legal obligation.

Counsel her to not confront her partner: If she is planning to leave the relationship, she is in greater danger. The time before, during and after a separation is when women are most at risk of being killed by their partners or ex-partners. Learn more in Domestic Violence: Is There a Risk of Death?

Refer her to a domestic violence expert: There may be someone with this role in your workplace. Or, you can get help in the community. Call the local women's shelter or the Assaulted Women's Helpline at 1.866.863.0511 or TTY 1.866.863.7868.

Document your meeting: Take all reports of threatening or violent behaviour seriously. Have them evaluated by a trained professional. Learn more about who can advise and assist you in Finding Community Resources for Workplace Domestic Violence.

Talk about what your employee can expect from the workplace

Ask open-ended questions about what changes, if any, could be made in the workplace to make the employee feel safer. For example, arranging a schedule that is less predictable might protect her from harassment by an abuser who knows her current patterns. This might mean offering a flexible schedule, different shifts, or other work arrangements. Identify opportunities for time away from work to make it easier for her to get the help she needs and to rebuild her life.

When safety is at risk, there are limits to confidentiality. So don't offer a blanket commitment to confidentiality. Assure her that confidentiality will be respected to the extent possible. Explain that information will only be shared on a "need to know" basis.

Stay informed and follow up

Restraining orders: Ask the victim if she has any protection orders or restraining orders. Find out if the workplace is included in the orders. If there is an order, ask for a copy. Make sure that all conditions of the order are followed.

Identifying the abuser: Ask for a recent photo or description of the abuser. Determine who in the workplace needs to be able to recognize the abuser. Security? Reception? These staff need to know who to look for or screen.

Document everything: Ask the employee to document all incidents of abuse in the workplace. Ask her to document how the abusive behaviour affects her work. Work with her to address performance issues.

Put supports in place: Once you have had an initial conversation with the employee, plan for and ensure follow-up by those with expertise. Some examples of workplace supports are the workplace Violence Prevention Team, Security staff, Human Resources, and resources available from the Employee Assistance Plan. Leave it up to the employee to work out with these resources the best ways to keep her safe and supported.

Stay informed: Follow up with the employee. Check on her progress and well being. Document these interactions.

When you have immediate concerns about safety, call the police at 911.

But I'm not the boss, I'm just a co-worker. What can I do?

As a co-worker, you should be able to recognize the warning signs. Your role is to be supportive and to focus on safety. Opening a conversation with someone who you think might be experiencing domestic violence is an important first step. State you care and are concerned.

Learn about the policies and procedures in your workplace that address domestic violence. Identify the appropriate person in management that she can talk to. Find and suggest resources, inside and outside the workplace, that can be of help to her.

Your duty to report: If there is a clear threat to the workplace or an incident of workplace domestic violence, you must tell the appropriate authorities, such as the police and workplace experts. If you know or suspect that children are being abused, you must contact the Children's Aid Society. Make sure your co-worker understands that this is your legal obligation.

Remember: When you have immediate concerns about safety, call the police at 911.

To learn more about domestic violence at work and how to respond effectively, visit: www.makeitourbusiness.com
www.neighboursfriendsandfamilies.on.ca

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